

MEMORANDUM

TO: Commissioners McCarty, Hadley, Landis, Ripley and Ziegner
FROM: Jerry L. Webb, Director of Gas/Water/Sewer Division
DATE: November 4, 2004
RE: Utility Articles for Next Conference

The following Final Articles C, D, M and Preliminary Article A are submitted to each of you to acquaint you with the tariffs eligible for action or acceptance on or after November 10, 2004.

"C" Finals

In order to maintain parity and be in compliance with the Commission's Final Order in Cause No. 39369 issued June 2, 1993, the following local exchange carriers have filed intrastate access parity tariffs mirroring their respective interstate equivalent. The requirements prescribed for these filings in Commission Order No. 39369 have been carried out and I recommend approval.

Federal Communications Commission

| <u>Item</u> | <u>Local Exchange Carrier</u> | <u>Transmittal Number</u> | <u>File Date</u> | <u>Effective Date</u> |
|-------------|-------------------------------|-------------------------------|----------------------|---------------------------|
| 1. | Communications Corp of Ind. | 1040 | 09-16-04 | 10-01-04 |
| 2. | Communications Corp of Ind. | 1041 | 09-16-04 | 10-01-04 |
| 3. | IBT d/b/a SBC Indiana | 1414 | 10-05-04 | 10-06-04 |

"D" Final

A revision to the purchased power cost tracker for electric utilities has been reviewed by staff members of the Commission and found to be in compliance with the orders of the Commission. The requirements prescribed for these filings in Commission Order No. 34614 have been met and I recommend approval.

| <u>Item</u> | <u>Utility</u> | <u>Purchased Power Cost Tracker (\$/kWh)</u> | <u>Change (\$/kWh)</u> | <u>Filing No.</u> |
|-------------|----------------|--|----------------------------|-------------------|
| 1. | Troy Municipal | 0.003593 | (0.001032) | 041103D |

"M" Final

A revision to the power cost tracker for electric utilities has been reviewed by staff members of the Commission and found to be in compliance with the orders of the Commission. The requirements prescribed for these filings in Commission Order No. 40095 have been met and I recommend approval.

| <u>Item</u> | <u>Utility</u> | <u>Rate Schedule</u> | <u>Change \$/kWh</u> | <u>Resultant \$/kWh</u> | <u>Filing #</u> |
|-------------|---------------------|--------------------------|--------------------------|-----------------------------|-----------------|
| 1. | Mishawaka Municipal | Residential | 0.000125 | 0.001386 | 38 |
| | | Commercial | 0.000776 | 0.002548 | |
| | | Commercial Power | 0.001996 | (0.000505) | |
| | | Comm. Elec. Heat | 0.001143 | 0.006585 | |
| | | Municipal | 0.001734 | 0.000394 | |

Please indicate your consideration and action of all the preceding items on the appropriate lines provided below.

Jerry L. Webb
Director of Gas/Water/Sewer Division

I approve of all items as presented above:

I approve of all items as presented above except:

Not participating in the following items:

I, _____, Disapprove Items

No.

I, _____, Wish to Defer Items

No.

I hereby certify that the above is a true and correct copy of the action on the articles.

Nancy E. Manley, Executive Secretary

"A" Preliminary

The following new miscellaneous item has been reviewed by staff members of the Commission and we recommend accepting it for filing.

1. Indianapolis Power & Light Company (Electric)

Indianapolis Power & Light Company (IPL) proposes to revise Standard Contract Rider No. 14. IPL proposes to change the term of this service to allow for only five year contracts, instead of the five, ten, or fifteen year term previously. IPL proposes to reduce the capacity credit to better reflect current market prices. In order to improve the flexibility and value to both IPL and the customer, a dispatchable curtailment for a limited number of curtailments is added to the rider. IPL can implement the curtailment when the market price of power is at or above \$100 per megawatt-hour (MWh).

There has been one customer taking service under Standard Contract Rider No. 14, and IPL indicates this customer has agreed to a new five year contract under the terms of the revised rider. The customer has designated a portion of its load as its Dispatchable Firm Power Level for purposes of dispatchable curtailment events. For a limited number of curtailments when the market price of power is at or above \$100/MWh, the utility may call to curtail the customer's load for a minimum of four hours and a maximum of eight hours. The utility will give the customer 60 minutes notification and will call upon the customer for a maximum of two calls per week, five calls per month and eighty hours per year. The customer has the option to avoid such curtailment by agreeing to pay the product of the actual hourly market price of the energy and the actual energy used by the customer above its Dispatchable Firm power level.

The tariff sheets affected by this filing are:

Standard Contract Rider No. 14,
Original Sheet Nos. 166, 167, and 168

Jerry L. Webb
Director of Gas/Water/Sewer Division